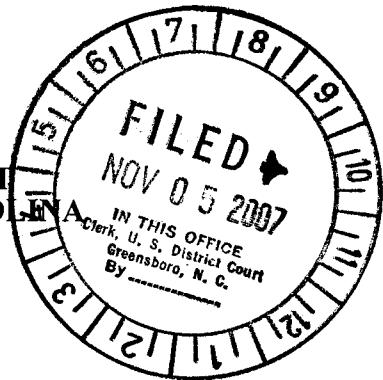


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION
Case No.: 1:06-cv-00377-NCT-RAE



VIRGIN RECORDS AMERICA, INC., a)
California corporation; CAPITOL RECORDS,)
INC., a Delaware corporation; WARNER)
BROS. RECORDS INC., a Delaware)
corporation; ARISTA RECORDS LLC, a)
Delaware limited liability company; SONY)
BMG MUSIC ENTERTAINMENT, a Delaware)
general partnership; UMG RECORDINGS,)
INC., a Delaware corporation; and BMG)
MUSIC, a New York general partnership,)
)
Plaintiffs,)
)
v.)
)
DONALD HAMBY,)
)
Defendant.)
)
)
)

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Based upon Plaintiffs' Motion for Default Judgment, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the nine sound recordings listed in Exhibit A to the Complaint. Accordingly, having been judged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand and Seven Hundred Fifty Dollars (\$6,750.00).

2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

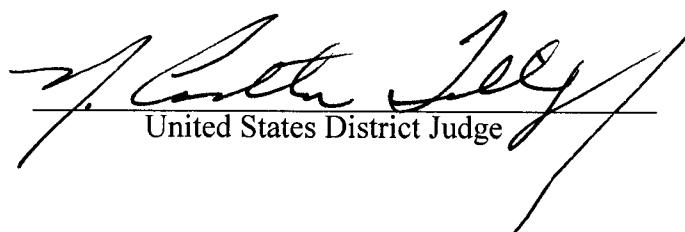
3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Viva Forever," on album "Spiceworld," by artist "Spice Girls" (SR# 261-523);
- "Rebel Yell," on album "Rebel Yell," by artist "Billy Idol" (SR# 52-131);
- "Deadbeat Holiday," on album "Warning," by artist "Green Day" (SR# 288-352);
- "My Way," on album "My Way," by artist "Usher" (SR# 257-730);
- "Missing You Now," on album "Time, Love & Tenderness," by artist "Michael Bolton" (SR# 132-494);
- "My Favorite Mistake," on album "The Globe Sessions," by artist "Sheryl Crow" (SR# 279-383);
- "Close Enough To Perfect," on album "Mountain Music," by artist "Alabama" (SR# 45-289);
- "The Chain," on album "Rumours," by artist "Fleetwood Mac" (SR# N39857);
- "Love Bites," on album "Hysteria," by artist "Def Leppard" (SR# 90-420);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e.,

upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

This the 5th day of ^{November} September, 2007.



J. Carter Wiley
United States District Judge